

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL 2, ALBANY,
NEW YORK PENSION FUND, by its Administrator, Stephen J.
O'Sick; BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL 2,
ALBANY, NEW YORK HEALTH BENEFIT FUND, by its Administrator,
Stephen J. O'Sick; BRICKLAYERS AND ALLIED CRAFTWORKERS
LOCAL 2, ALBANY, NEW YORK EDUCATION & TRAINING FUND, by
its Trustees, Robert Mantello, Pasquale Tirino, Luke Renna,
Michael Suprenant, Martin Dillon, Dale Stehlin, Thomas Murray,
Kevin Augustini, J.D. Gilbert, Thomas Marinello and Todd Helfrich;
BRICKLAYERS AND TROWEL TRADES INTERNATIONAL PENSION
FUND, by David Stupar, Executive Director; and BRICKLAYERS AND
ALLIED CRAFTWORKERS LOCAL 2, ALBANY NEW YORK, AFL-CIO, by
Robert Mantello, President,

Plaintiffs,

– against –

NATALE MASONRY INCORPORATED and MICHAEL NATALE,
Individually and as an Officer of Natale Masonry Incorporated,

Defendants.

**STIPULATION OF
DISCONTINUANCE**

Civil Action No.

09-cv-00496
(FJS-DRH)

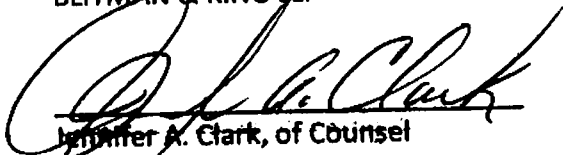
It is hereby stipulated and agreed, by and between the undersigned counsel, the attorneys of record for all parties in the above-referenced action, no party being an infant or incompetent person or in the military service, that the action is settled and is conditionally discontinued, without prejudice, reserving to the parties the right to reopen the action to obtain compliance with the terms of the

Stipulation of Settlement ("Stipulation"), dated January 7 and 20, 2011, and/or to allow Plaintiffs to proceed with entry of judgment in accordance with the terms and conditions of the Stipulation.

Dated: May 17 2011

BLITMAN & KING LLP


By:



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Dated: May 16 2011

By:



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SO ORDERED, that the action is conditionally discontinued without prejudice:

Date: May 19 2011



Honorable Frederick J. Scullin, Jr.
Senior United States District Judge